



COUNCIL MEETING RESULTS
CITY OF SURPRISE
Regular City Council Meeting Agenda
16000 N. Civic Center Plaza
Surprise, AZ 85374

Tuesday, October 22, 2013 @ 6:00 PM

- A. Call To Order
- B. Roll Call – **All Council were present, CM Alton joined the meeting via telephone.**
- C. Pledge of Allegiance
- D. Invocation
- E. City Manager Report:
- F. City Attorney Report:
- G. Regular City Council Meeting Agenda:

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

Consent Agenda: **M: Hall 2nd: Williams Vote: 7 yes votes**

- | | | |
|----------------|---|---|
| *#1 District 3 | <u>Consideration and action on Resolution 2013-119, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving an amended final plat, entitled "Sarah Ann Ranch Unit 1, Lots 722 & 723," generally located on the southwest corner of Waddell Road and 175th Avenue.</u> | Approved
Jeff
Mihelich,
Community
& Economic
Development |
| *#2 Citywide | <u>Consideration and action to approve Agent Change & Acquisition of Control requested by George Leonard Engle for the following businesses and existing liquor licenses: Diamond Shamrock (CST Arizona Stations, Inc) Corner Store # 1641 (License #10073408) located at 13908 W. Bell Road, Surprise, AZ 85374; Corner Store #1713 (License #10075636) located at 16794 W. Bell Road, Surprise, AZ 85374 and Corner Store #1712 (License #10075633) located at 14559 W. Grand Avenue, Surprise, AZ 85374.</u> | Approved
Sherry
Ann
Aguilar,
City Clerk
MMC |

- | | | |
|----------------|--|---|
| *#3 District 1 | <u>Consideration and Action on Resolution No. 2013- 126, a Resolution of the Mayor and Council of the City of Surprise, Arizona, to accept a special warranty deed from HE Capital Asante, LLC generally located at the southwest corner of 163rd Avenue and Happy Valley Rd. future location of Fire Station 304.</u> | Approved
Tammie
Hollowell |
| *#4 District 3 | <u>Consideration and action on granting Arizona Public Service (APS) a utility easement across City property for APS Countryside elementary school solar panel project, located at Greenway Road and Parkview Place.</u> | Approved
Lloyd
Abrams, IT |
| *#5 District 1 | <u>Consideration and action on the acceptance of the ingress/egress easement for access to the future Fire Station 304 located at 163rd Avenue and Happy Valley Road.</u> | Approved
Tammie
Hollowell |
| *#6 Citywide | <u>Consideration and action on the meeting minutes of October 1, 2013 Special City Council Meeting and Special City Council Work Session and October 8, 2013 Regular City Council Meeting.</u> | Approved
Sherry
Ann
Aguilar,
City Clerk |
| *#7 District 6 | <u>Consideration and action on Resolution 2013-120, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat entitled "Sage Commercial Sites," located generally on the northeast corner of 136th Avenue and Peoria Avenue.</u> | Approved
Jeff
Mihelich,
Community
& Economic
Development |
| *#8 District 1 | <u>Consideration and action on granting Arizona Public Service (APS) and Dysart Schools a license agreement allowing use of city property for temporary parking during the construction at Countryside elementary school, located at Greenway road and Parkview Place.</u> | Approved
Lloyd
Abrams, IT |

Regular Agenda Item - Non-Public Hearing:

- | | | |
|----------------------|---|---------------------------------------|
| #9 District Internal | <u>Consideration and action to appoint Peter Pervi to fill the Planning & Zoning Commission vacancy with a term expiration of July 1, 2015.</u> | Approved
VM
Biundo &
CM Hall |
|----------------------|---|---------------------------------------|

M: Williams 2nd: Mankiewicz

Vote: 7 yes votes

- #10 District Internal Consideration and action to appoint Steven Berwald to fill the vacancy on the Building and Construction Review Board with a term expiration of July 1, 2015. Approved VM Biundo & CM Hall

M: Villanueva 2nd: Williams
Vote: 7 yes votes

- #11 District Internal Discussion and presentation by Brad Kularis regarding the Boys and Girls Club. No Action VM Biundo & CM Hall

Regular Agenda Item - Public Hearing:

- #12 District 1 Consideration and action on the acceptance of a water and sewer line easement from Skyway LLC, at the Skyway Business Park located at Cactus and Dysart. Approved Tammie Hollowell, IT

M: Mankiewicz 2nd: Williams
Vote: 7 yes votes

- #13 District 6 Consideration and action on Ordinance 2013-07, an ordinance of the Mayor and council of the City of Surprise, Arizona, approving a Planned Unit Development overlay for Skyway Commons, case FS13-204. The subject site is generally located on the southwest corner of Cactus and Dysart Roads. Approved Jeff Mihelich, Community & Economic Development

M: Williams 2nd: Villanueva
Vote: 7 yes votes

- #14 District 3 Consideration and action on Ordinance 2013-08, an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving a Planned Unit Development for Desert Streams Worship and Community Center, case FS13-300. The subject site is generally located on the northwest corner of Reems and Hearn Roads. Approved Jeff Mihelich, Community & Economic Development

M: Hall 2nd: Alton **Vote: 7 yes votes**

- #15 District 3 Consideration and action on Resolution 2013-109, a resolution of the Mayor and Council of the City of Approved Jeff

Surprise, Arizona, approving a Final Plat entitled "Desert Streams Lutheran Church," located generally at Hearn and Reems Road.

Mihelich,
Community
& Economic
Development

M: Williams 2nd: Villanueva
Vote: 7 yes votes

H. Call To The Public: Alyson Cline; Chet Chetkauskus

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

Download the Call to the Public form (PDF download requires *Adobe Acrobat Reader*)

Fill out the Call to the Public form online If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address City Council on any item not on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

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I. Other Business and Future Agenda Items: None.

J. Mayor/Council Reports:

K. Executive Session: None.

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position

regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));

- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or

- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).

- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

L. Adjournment: **M: Williams 2nd: Hall** **Vote: 7 yes votes @ 7:51 p.m.**

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: October 23, 2013 at 6:40 p.m.

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.